

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)  
FS-F03224-01

In re Application of:

Application No.: 10/760,496

Filed: January 21, 2004

For: PHOTOTHERMOGRAPHIC MATERIAL

The owner\*, Fuji Photo Film Co., Ltd., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/633,253, filed on August 4, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

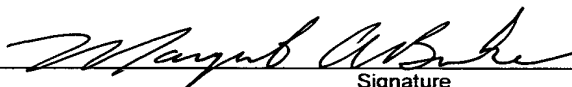
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 34,474

  
Signature

15 July 2005  
Date

07/20/2005 HAL111 00000036 501322 10760496

Margaret A. Burke  
Typed or printed name

02 FC:1814 130.00 DA

703-416-0376  
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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